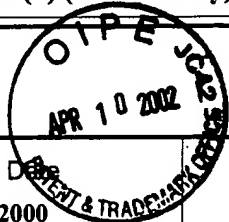


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**Petition For Revival Of An Application For Patent Abandoned Unintentionally
Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
3874-128 US

In Re Application Of: Lutz, O. et al.



Serial No.
09/488,298

Filing Date
01/20/2000

Examiner
Kim, J.

Group Art Unit
1617

Invention: Novel Podophyllotoxin Compositions

**COPY OF PAPERS
ORIGINALLY FILED**

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: Request for Continued Examination

2. ☐ The issue fee:

04/11/2002 AWONDAF1 00000030 09488298

☐ is enclosed. ☐ was paid on _____

01 FD:241

\$40.00 DP

3. ☒ A small entity declaration:

☐ is enclosed. ☒ was filed on January 20, 2000

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4. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

OFFICE OF PETITIONS

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Group Art Unit
1617

Invention: **Novel Podophyllotoxin Compositions**

Calculation and Payment of Fees

Enclosed are the following fees:

- | | |
|---|-----------------------------|
| 7. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of: | <u>\$640.00</u> |
| 8. <input type="checkbox"/> Fee for amendment in the amount of: | <u> </u> |
| 9. <input checked="" type="checkbox"/> Fee for extension of time to reply to Office Action in the amount of: | <u>\$350.00</u> |
| 10. <input type="checkbox"/> Issue fee in the amount of: | <u> </u> |
| 11. <input type="checkbox"/> Continuing application filing fee in the amount of: | <u> </u> |
| 12. <input type="checkbox"/> Terminal disclaimer fee in the amount of: | <u> </u> |
| 13. <input checked="" type="checkbox"/> <u>Request for Continued Examination fee (enclosed as a separate check)</u> | <u>\$740.00</u> |
| Total fees enclosed: <u>\$990.00</u> | |

The fee of **\$990** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
 - ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 13-2165
- A duplicate copy of this sheet is enclosed.

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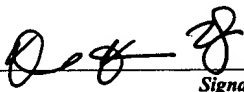
Examiner
Kim, J.

Group Art Unit
1617

Invention: Novel Podophyllotoxin Compositions

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

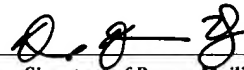


Signature

Dated: March 28, 2002

Diane Dunn McKay
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(609) 924-8555 Telephone
(609) 924-3036 Facsimile

I certify that this document and fee is being deposited on **March 28, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Signature of Person Mailing Correspondence

Diane Dunn McKay

Typed or Printed Name of Person Mailing Correspondence

CC: